Minority Media and Telecommunications Council

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May 19, 2012

Marlene Dortch, Esq. Secretary Federal Communications Commission 445 12th Street S.W. Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication, MB Docket No. 09-182 (2010 Quadrennial Review), MB Docket No. 07-294 (Diversity Proceeding), WT Docket No. 12-4 (Applications of Cellco Partnership d/b/a Verizon Wireless, and SpectrumCo, LLC for Consent to Assign Licenses), IB Docket No. 11-133 (Foreign Ownership), ET Docket No. 10-235 (Innovation in Broadcast Television Bands: Allocations, Channel Sharing and Improvements to VHF)

Dear Ms. Dortch:

This reports on two meetings held Thursday May 17, 2012. The first meeting was with Commissioner Ajit Pai, Matthew Berry, his Chief of Staff, and Gene Fullano, his Acting Legal Advisor. The second meeting was with Commissioner Jessica Rosenworcel. Representing MMTC at the meetings were David Honig, President, and Julia Johnson, Chair.

During the meeting the following items were discussed:

- MMTC regards universal broadband access, adoption, and informed use as the top civil rights priorities
 in the digital age. Therefore, MMTC supports initiatives that will boost broadband availability,
 adoption, and digital literacy including public-private partnerships, moving spectrum to market, and
 incentivizing program diversity.
- MMTC supports public-private broadband adoption and digital literacy programs such as AT&T's Aspire, Comcast's Internet Essentials, and Connect to Compete.
- To promote universal broadband access and adoption at affordable prices, public policy should favor placing spectrum with those who will use it and build out infrastructure for it, and with diverse minority and women entrepreneurs.
- To promote program diversity attendant to incentive auctions, the Commission should continue to work with the White House to develop an incentive auction model with a built-in capital gains tax deferral mechanism (modeled after the FCC's former tax certificate program) to incentivize broadcasters to continue their program streams when they tender spectrum to the government to be auctioned.
- Regarding SpectrumCo. and other potential spectrum transactions, MMTC is hopeful that as these transactions make their way through the Commission, the agency will be favorably impressed with the

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> transactions' opportunities for spectrum deployment and for minority and women entrepreneurs' participation as spectrum purchasers and as spectrum deployment contractors and subcontractors.

- We described the status of long-pending proposals by MMTC and others to advance minority ownership. We explained that it is crucial that the Commission immediately act to halt the rapid decline in minority ownership that has been taking place for at least five years.
- The Commission should promptly use its statutory authority to relax the broadcast foreign ownership policy (interpreting 47 U.S.C. §310(b)(4)) to provide broadcasters with greater access to capital and open the door to reciprocal investment abroad.²
- The issue of cross-ownership came up in the meeting with Commissioner Pai. The 50 national organizations filing in the Quadrennial Proceeding as the Diversity and Competition Supporters do not object to relaxation of the cross-ownership rule where it would not diminish minority ownership.³

We provided copies of MMTC publications on high tech employment, universal broadband adoption, and civil rights principles applied to telecom policy, as well as the program book for the January 2012 MMTC Telecom Policy and Social Justice Summit.

Respectfully submitted,

David Honig

David Honig

President

¹ See Initial Comments of the Diversity and Competition Supporters in Response to the Notice of Proposed Rulemaking, 2010 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 09-182 et al. (Mar. 5, 2012), available at http://mmtconline.org/wp-content/uploads/2012/04/DCS-QuadRev-Comments-030512.pdf (last visited May 18, 2012) ("DCS 2012 Initial Comments"). See also Supplemental Comments of the Diversity and Competition Supporters in Response to the Notice of Proposed Rulemaking, 2010 Quadrennial Regulatory Review - Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 09-182 et al. (Apr. 3, 2012), available at http://mmtconline.org/wp-content/uploads/2012/04/Supplemental-Media- Ownership-Comments-040312.pdf ("DCS 2012 Supplemental Comments").

² See DCS 2012 Initial Comments at 24-27; DCS 2012 Supplemental Comments at 7-10.

³ See DCS 2012 Initial Comments at 40-43.

⁴ MMTC, Minorities in High Tech Employment (2011), available at http://mmtconline.org/lppdf/Minorities%20&%20High%20Tech%20Empl%20072211.pdf.

⁵ MMTC, Universal Broadband Adoption: How to Get There and Why American Needs It (2011), available at http://mmtconline.org/lp-pdf/MMTC%20Adoption%20Book%20072111.pdf.

⁶ MMTC, On the Path to the Digital Beloved Community: A Civil Rights Agenda for the Technological Age (2011), available at http://library.mmtconline.org/BELOVEDBOOK.pdf.